

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on March 3, 2005
at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Annie Glover, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 381, 2/28/2005; HB 175,
2/28/2005; HB 126, 2/28/2005
Executive Action: HB 126, HB 175, HB 381

00:00:01

HEARING ON HB 381

Opening Statement by Sponsor:

REP. TIM CALLAHAN (D), HD 21, opened the hearing on **HB 381**,
Revise work comp mediation attendance requirements.

Proponents' Testimony:

00:01:24 **Mr. Jed Fitch, Montana Trial Lawyers Association**
00:03:12 **Ms. Nancy Butler, Montana State Fund**
00:03:33 **Ms. Barbara Ranf, Montana Chamber of Commerce**
00:03:53 **Ms. Jacqueline Lenmark, American Insurance**
 Association
00:04:14 **Mr. Bob Worthington, Montana Municipal Insurance**
 Authority, also representing Mr. George Wood,
 Montana Self Insurers Association

Opponents' Testimony:

Informational Testimony:

00:04:48 **Ms. Diana Ferriter, Department of Labor and**
 Industry

EXHIBIT(bus47a01)

00:05:49

Questions from Committee Members and Responses:

00:10:10

Closing by Sponsor:

SEN. COCCHIARELLA will carry HB 381 on the Senate Floor.

00:10:27

HEARING ON HB 175

Opening Statement by Sponsor:

REP. JILL COHENOUR (D), HD 78, opened the hearing on **HB 175**,
Allow insurer to withhold court order restitution for theft of WC
benefits.

Proponents' Testimony:

00:12:02 **Mr. Matthew Cohn, Montana State Fund**

EXHIBIT(bus47a02)

00:15:39 Mr. Doug Nully, Retired Worker's Compensation
Attorney
00:16:28 Ms. Jacqueline Lenmark, American Insurance
Association
00:16:45 Mr. Bob Worthington, Montana Municipal Insurers
Association, also representing Mr. George Wood,
Montana Self Insurers Association

Opponents' Testimony: None.

Informational Testimony: None.

00:17:01

Questions from Committee Members and Responses:

00:23:38

Closing by Sponsor:

SEN. COCCHIARELLA will carry HB 175 on the Senate Floor.

00:24:46

HEARING ON HB 126

Opening Statement by Sponsor:

REP. SCOTT MENDENHALL (R), HD 77, opened the hearing on **HB 126**,
Revise workers' compensation laws.

Proponents' Testimony:

00:27:15 Mr. Jerry Keck, Employment Relations Division,
Department of Labor and Industry

EXHIBIT(bus47a03)

00:29:09 Mr. Doug Nully, Retired Workers Compensation
Attorney
00:29:29 Ms. Nancy Butler, Montana State Fund
00:29:43 Mr. Roger McGlenn, Independent Insurance Agents
Association
00:30:03 Mr. Bob Worthington, Montana Municipal Insurers
Association, also representing Mr. George Wood,
Montana Self Insurers Association
00:30:16 Ms. Jacqueline Lenmark, American Insurance
Association

00:30:52 **Mr. Jed Fitch, Montana Trial Lawyers Association**

Opponents' Testimony: None.

Informational Testimony: None.

00:31:32

Questions from Committee Members and Responses:

00:32:43

Closing by Sponsor:

SEN. ROUSH will carry HB 126 on the Senate Floor

00:33:17

EXECUTIVE ACTION ON HB 126

Motion/Vote: **SEN. ROUSH** moved that HB 126 BE CONCURRED IN.
Motion carried unanimously by voice vote.

00:33:59

EXECUTIVE ACTION ON HB 175

Motion/Vote: **SEN. SQUIRES** moved that HB 175 BE CONCURRED IN.
Motion carried unanimously by voice vote.

00:34:22

EXECUTIVE ACTION ON HB 381

Motion: **SEN. SQUIRES** moved that HB 381 BE CONCURRED IN.

Discussion:

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 9:40 A.M.

SEN. VICKI COCCHIARELLA, Chairman

ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

EXHIBIT ([bus47aad0.TIF](#))